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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Stephen Wendell, and Lisa Wendell, for
themselves and as successors in interest to
Maxx Wendell, deceased

CASE NO. C 09-04124 CW

Plaintiff(s),

**STIPULATION AND ORDER FOR
EXTENSION OF TIME
AND RESCHEDULING
CASE MANAGEMENT
CONFERENCE**

v.

Johnson & Johnson, et al.

Defendant(s).

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s) that the time within which Plaintiffs Stephen Wendell and Lisa Wendell for themselves and as successors-in-interest to Maxx Wendell, deceased may serve and file a response to Defendant Abbott Laboratories' Motion to Dismiss (docket #39) is extended from November 5, 2009 to November 19, 2009; and it is further

STIPULATED AND AGREED that the time period for Defendant Abbott Laboratories to serve and file any reply will be extended from November 12, 2009 to December 3, 2009; and it is further

AGREED by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s) that the hearing on Abbott Laboratories' Motion to Dismiss (docket #39) be continued from December 10, 2009 at 2:00 p.m. to December 17, 2009 at 2:00 p.m.; and it is further

AGREED by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s) that the Case Management Conference be continued from December 10, 2009 at 2:00 p.m. to December 17, 2009 at 2:00 p.m.

/s/Kevin Haverty
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Roxane, Inc. and Roxane Laboratories, Inc.*

/s/Alice Johnston
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5 /s/Prentiss W. Hallenbeck, Jr.
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12

13 **ORDER**

14 Pursuant to the Stipulation between the attorney(s) for plaintiff(s) and the attorney(s) for
15 defendant(s), by and through their counsel of record,

16 **IT IS HEREBY ORDERED THAT**

- 17 1. The hearing on Abbott Laboratories' Motion to Dismiss (docket #39) is continued
18 from December 10, 2009 at 2:00 p.m. to **December 17, 2009 at 2:00 p.m.**; and
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2. The Case Management Conference is continued from December 10, 2009 at 2:00 p.m. to **December 17, 2009 at 2:00 p.m.**

IT IS SO ORDERED.

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DATED _____, 2009



By: _____

Hon. Claudia Wilken
United States District Court Judge